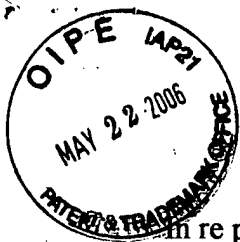


IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re patent application of:)
)
Michael C. Sherman et al.) Before the Examiner
) Swiger III, James L.
Serial No. 10/690,451)
) Art Unit
Filed October 21, 2003) 3733
)
DYNAMIZABLE ORTHOPEDIC) Confirmation No.
IMPLANTS AND THEIR USE IN) 3728
TREATING BONE DEFECTS)

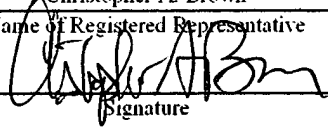
RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Introductory Comments

In response to the Office Action dated April 17, 2006, please enter the following amendments and remarks in the above-mentioned patent application. No fees or extensions are believed to be due for consideration of this paper, but if any fees are deemed due, or if any extensions of time are deemed to be necessary, please provide such extensions and charge any such fees to Deposit Account No. 23-3030, but not to include issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on:
<u>May 17, 2006</u>
Date of Deposit or Transmission
<u>Christopher A. Brown</u>
Name of Registered Representative
<u></u>
Signature